IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Crl.Rev.Pet.No. 1784 of 2007()

CRA.47/2006 of ADDL. SESSIONS COURT(ADHOC) FAST TRACK III, PATHANAMTHITTA .
CC.214/2005 of JUDL.MAGISTRATE OF FIRST CLASS COURT-I, PATHANAMTHITTA .

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REVN. PETITIONER: APPELLANT/ACCUSED

KASHMIR SINGH, PROPRIETOR,
CAFE-DE-KASHMIR, OPPOSITE KSRTC BUS STAND,
PATHANAMTHITTA.

BY ADV. SRI.VARGHESE PREM

RESPONDENTS: RESPONDENT/COMPLAINANT

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1. MAMMEN PAPPY ADANESH, ADANESH HOUSE,
   VETTIPURAM, PATHANAMTHITTA.

2. STATE OF KERALA,
   REP.BY THE PUBLIC PROSECUTOR,
   ERNAKULAM.

R2 BY P.P. SRI GIKKU JACOB.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 27/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

CRL.R.P.NO.1784 of 2007.

Dated this the 27th day of APRIL, 2007

ORDER

The petitioner stands convicted for the offence under section 138 N.I Act and sentenced to undergo simple imprisonment for 6 months and to pay a compensation of Rs.3,50,000/- to the complainant vide section 357(3) Cr.P.C and in default to undergo imprisonment for 3 months. The petitioner has only sought for modification of the sentence.

2. In the circumstances, the sentence is modified to imprisonment till the rising of the court and the rest of the sentence is confirmed. The petitioner is granted 6 months time to pay the amount of compensation.

He shall appear before the JMFC-I, Pathanamthitta on 29-10-2007 to receive the sentence. NBW pending if any shall be kept in abeyance.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

kvm/-